

**Marked Up Version of Claims Showing Changes**

1. (Amended)A smoking article having reduced ignition propensity comprising:  
a tobacco column and  
a wrapper having a base permeability and surrounding the tobacco column so that the smoking article includes an ignition end and a distal end, the wrapper comprising:  
an untreated area and  
a least one discrete area treated with a composition comprising a permeability reducing substance initially dissolved in a non-derivatizing solvent mixture initially comprising a solvent and at least one ingredient that as part of the non-derivatizing solvent mixture is a self-association disruptor for the permeability reducing substance to reduce the base permeability so that as a coal of a burning tobacco firecone advances by the treated area, the smoking article self-extinguishes if placed on a surface,  
wherein said smoking article is one of a population of a plurality of smoking articles having a reduced ignition propensity, and  
wherein said at least one discrete area treated is at least one banded region between the ignition end and the distal end and a distance from the ignition end to the at least one band of each smoking article within said population of said plurality of smoking articles is at least one of sequentially related, randomly related and quasi-randomly related within said population.
- 4.(Amended)The smoking article of Claim 1[2]wherein said population of smoking articles is a package of smoking articles.
- 5.(Amended)The smoking article of Claim 1[2] wherein said population of smoking articles is a grab sample of smoking articles.
- 6.(Amended)The smoking article of Claim 1[2] wherein the ignition propensity for the population is between about 50 percent and substantially about 100 percent.

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7.(Amended)The smoking article of Claim 1[2] wherein said at least one discrete area treated is at least two spaced apart banded regions and a distance from the ignition end to at least one band of each smoking article is at least one of sequentially related, randomly related and quasi-randomly related within said population.

17.(Amended)A wrapper for surrounding a tobacco column to create a smoking article having reduced ignition propensity that includes an ignition end and a distal end, the wrapper having a base permeability and comprising:

an untreated area and

at least one discrete area treated with a permeability reducing substance in an amount equivalent to between about 0.3 micrograms per square millimeter to about 1.2 micrograms per square millimeter of substantially non-derivatized cellulose [applied using lithium chloride in dimethylacetamide (DMAC)], said permeability reducing substance applied using a composition comprising said permeability reducing substance initially dissolved in a non-derivatizing solvent mixture initially comprising a solvent and at least one ingredient that as part of the non-derivatizing solvent mixture is a self-association disruptor for the permeability reducing substance to reduce the base permeability so that as a coal of a burning tobacco firecone advances by the treated area, the smoking article self-extinguishes if placed on a surface,

wherein said smoking article is one of a population of a plurality of smoking articles having a reduced ignition propensity, and

wherein said at least one discretely treated area is at least one banded region between the ignition end and the distal end and a distance from the ignition end to the at least one band of each smoking article within said population of said plurality of smoking articles is at least one of sequentially related, randomly related and quasi-randomly related within said population.

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52.(Amended)A smoking article having reduced ignition propensity comprising:

a tobacco column and

a wrapper having a base permeability and surrounding the tobacco column so that the smoking article includes an ignition end and a distal end, the wrapper comprising:

an untreated area and

a least one discrete area treated with a permeability reducing substance in an amount equivalent to between about 0.3 micrograms per square millimeter to about 1.2 micrograms per square millimeter of substantially non-derivatized cellulose [applied using lithium chloride in dimethylacetamide (DMAC)], said permeability reducing substance applied using a composition comprising said permeability reducing substance initially dissolved in a non-derivatizing solvent mixture initially comprising a solvent component and at least one ingredient that as part of the non-derivatizing solvent mixture is a self-association disruptor for the permeability reducing substance to reduce the base permeability so that as a coal of a burning tobacco firecone advances by the treated area, the smoking article self-extinguishes if placed on a surface, wherein said smoking article is one of a population of a plurality of smoking articles having a reduced ignition propensity, wherein said at least one discrete area treated is at least one banded region between the ignition end and the distal end and a distance from the ignition end to the at least one band of each smoking article within said population of said plurality of smoking articles is at least one of sequentially related, randomly related and quasi-randomly related within said population.

54.(Amended)The smoking article of Claim 52 wherein said population of smoking articles is a package of smoking articles.

55. (Amended) The smoking article of Claim [5] 52 wherein said population of smoking articles is a grab sample of smoking articles.

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132.(Amended)A method for making a smoking article having reduced ignition propensity comprising:

treating a plurality of discrete areas of paper having a base permeability with a composition initially comprising a permeability reducing substance initially dissolved in a solvent mixture initially comprising an organic component and at least one ingredient that as part of the solvent mixture is a self-association disruptor for the permeability reducing substance, to form discrete areas having a reduced permeability in an amount equivalent to that obtained with between about 0.3 micrograms per square millimeter to about 1.2 micrograms per square millimeter of substantially non-derivatized cellulose [applied using lithium chloride in dimethylacetamide (DMAC)]; [and]

surrounding a tobacco column with at least a portion of the wrapper so that at least one discretely treated area substantially surrounds the tobacco column between the ends of the wrapper-surrounded tobacco column so that as a coal of a burning tobacco firecone advances by said at least one treated area, the smoking article self-extinguishes if left on a surface,

wherein said smoking article is one of a population of a plurality of smoking articles having a reduced ignition propensity, and

wherein said at least one discrete area treated is at least one banded region between the ignition end and the distal end and a distance from the ignition end to the at least one band of each smoking article within said population of said plurality of smoking articles is at least one of sequentially related, randomly related and quasi-randomly related within said population.

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147.(Amended)A method for making a wrapper for surrounding a tobacco column to create a smoking article including a least one discrete area treated with a composition to reduce a base permeability so that as a coal of a burning tobacco firecone advances by said at least one treated area, the smoking article self-extinguishes, the smoking article thereby having reduced ignition propensity comprising:

treating a plurality of discrete areas of paper having a base permeability with a composition initially comprising a permeability reducing substance initially dissolved in a solvent mixture initially comprising an organic component and at least one ingredient that as part of the solvent mixture is a self-association disruptor for the permeability reducing substance, drying the discrete areas such that the discrete areas have a reduced permeability in an amount equivalent obtained by applying between about 0.3 micrograms per square millimeter to about 1.2 micrograms per square millimeter of substantially non-derivatized cellulose [applied using lithium chloride in dimethylacetamide (DMAC)] thereby forming a wrapper,

wherein said smoking article is one of a population of a plurality of smoking articles having a reduced ignition propensity, and

wherein said at least one discrete area treated is at least one banded region between the ignition end and the distal end and a distance from the ignition end to the at least one band of each smoking article within said population of said plurality of smoking articles is at least one of sequentially related, randomly related and quasi-randomly related within said population.

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148.(Amended)A method for making a smoking article having reduce ignition propensity comprising:

treating a plurality of discrete areas of paper having a base permeability with a composition initially comprising a permeability reducing substance initially dissolved in a solvent mixture initially comprising an organic component and at least one ingredient that as part of the solvent mixture is a self-association disruptor for the permeability reducing substance, to form discrete areas that have a reduced permeability in an amount equivalent to that obtained by applying between about 0.3 micrograms per square millimeter to about 1.2 micrograms per square millimeter of substantially non-derivatized cellulose [applied using lithium chloride in dimethylacetamide (DMAC)], thereby forming a wrapper;

surrounding a tobacco column with at least a portion of the wrapper so that at least one discretely treated area is found between the ends of the wrapper-surrounded tobacco column so that as a coal of a burning tobacco firecone advances by said at least one treated area, the smoking article self-extinguishes if left on a surface; [and]

adding a filter element to at least one end of the wrapper surrounded tobacco column,  
wherein said smoking article is one of a population of a plurality of smoking articles having a reduced ignition propensity, and

wherein said at least one discrete area treated is at least one banded region between the ignition end and the distal end and a distance from the ignition end to the at least one band of each smoking article within said population of said plurality of smoking articles is at least one of sequentially related, randomly related and quasi-randomly related within said population.

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151.(Amended)A cigarette paper for use in making a cigarette having reduced ignition propensity comprising:

a fibrous paper having a base permeability, an untreated area and a treated area, the treated area being treated with a composition initially comprising a permeability reducing substance initially dissolved in a solvent mixture initially comprising an organic component and at least one ingredient that as part of the solvent mixture is a self-association disruptor for the permeability reducing substance to reduce the base permeability so that when the paper is made into a cigarette that is smoked, as a coal of a burning tobacco firecone advances by the treated area, the cigarette self-extinguishes if placed on a surface, the composition comprising:

a permeability reducing substance present in sufficient quantity to effect the self-extinction; and

a burn rate accelerating substance present in sufficient quantity to cause a smoker's organoleptic experience to be substantially indistinguishable from the organoleptic experience of smoking the untreated area of the cigarette,

wherein said smoking article is one of a population of a plurality of smoking articles having a reduced ignition propensity, and

wherein said treated area is at least one banded region between the ignition end and the distal end and a distance from the ignition end to the at least one band of each smoking article within said population of said plurality of smoking articles is at least one of sequentially related, randomly related and quasi-randomly related within said population.

Please Add New Claims 152 through 165 as follows:

--152.(New Claim)The cigarette paper of Claim 151 wherein said population of smoking articles is a package of smoking articles.--

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--153.(New Claim)The cigarette paper of Claim 151 wherein said population of smoking articles is a grab sample of smoking articles.--

--154.(New Claim)The cigarette paper of Claim 151 wherein the ignition propensity for the population is between about 50 percent and substantially about 100 percent.--

--155.(New Claim)The cigarette paper of Claim 152 wherein said treated area is at least two spaced apart banded regions and a distance from the ignition end to at least one band of each smoking article is at least one of sequentially related, randomly related and quasi-randomly related within said population.--

--156.(New Claim)The cigarette paper of Claim 151 wherein said distance is sequentially related.--

--157.(New Claim)The cigarette paper of Claim 151 wherein said distance is randomly related.--

--158.(New Claim)The cigarette paper of Claim 151 wherein said distance is quasi-randomly related.--

--159.(New Claim)The cigarette paper of Claim 155 wherein said at least two banded regions are spaced sufficiently to reduce the ignition propensity of the smoking article.--

--160.(New Claim)The cigarette paper of Claim 155 wherein said at least two banded regions are spaced sufficiently to facilitate the freeburn of the smoking article.--

--162.(New Claim)The cigarette paper of Claim 155 wherein said at least two banded regions have a width/center-to-center spacing ratio of at least about 1/10 to greater than about 1/1.--



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--163.(New Claim)The cigarette paper of Claim 155 wherein said at least two banded regions have a width of at least about 3 millimeters to about 10 millimeters. --

--164.(New Claim)The cigarette paper of Claim 155 wherein said at least two banded regions have a center-to-center spacing of about 10 millimeters to about 30 millimeters. --

--165.(New Claim)The cigarette paper of Claim 155 wherein said at least two banded regions are visually substantially the same as unbanded regions.--

Remarks

The Applicants first wish to thank the Examiner for the courtesy extended to Applicants' attorney during the Telephonic Interview on March 5, 2003.

The Office Action mailed December 10, 2002, which indicated that Claims 3, 7-16, 53, 57-66 and 149-150 would be allowable, has been carefully considered. After such consideration, Claims 2, 3, 53, and 101-131 have been cancelled without prejudice to the subject matter thereof; Claims 1, 4-7, 17, 52, 54, 55, 132, 147, and 148 have been amended along the line suggested by the Examiner; and new Claims 152 through 165 have been added. As such, Claims 1, 4-52, 55-100 and 132-165 remain in the case with all the Claims being allowable.

The Office Action had rejected Claims 17-100 and 132-146 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants submit that the amendment of the independent Claims 17, 52, and 132 along the line suggested by the Examiner renders moot the 35 U.S.C. 112, second paragraph, rejection. The rejection being moot should be withdrawn.

The Office Action had rejected Claims 1-2, 4-6, 17-30, 33, 34, 41-52, 54-56, 67-79, 82, 83, 90-110, 113, 114, 121-143, 147, 148, and 151 under 35 U.S.C. 103(a) as being unpatentable over US Patent No.: 5,878,753 (Peterson et al.) in view of US Patent No.: 4,302,252 (Turbak et al.). The Office Action had rejected Claims 31, 32, 35-40, 80, 81, 84-89, 111, 112 and 115-120 90-110, 113, 114, 121-143, 147, 148, and 151 under 35 U.S.C. 103(a) as being unpatentable over Peterson et al. in view of Turbak et al., as applied above, and further in view of "Characterization by Size-Exclusion Chromatography with Refractive Index and Viscometry" (Timpa) and US Patent No.: 5,820,998 (Hotaling). Applicants submit that the amendment of the independent Claims 1, 17, 52, 132, 147, 148, and 151 to include the language of allowable Claims 3 and 7 along the lines suggested by the Examiner rendered moot the 35 U.S.C. 103(a) rejections. The rejections being moot should be withdrawn.

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The Applicants submit that by this amendment they have placed Claims 1, 4-52, 55-100 and 132-165 of the case in condition for immediate allowance and such action is respectfully requested. However, if any issue remains unresolved, Applicant's attorney would welcome the opportunity for a telephone interview to expedite allowance and issue.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'S. Antolin', written over a horizontal line.

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